

REMARKS

Claims 61-80 are pending in this application.

With regard to the Examiner's requirement that corrected drawings be filed for Figures 1, 2, 3A, 3B, and 3C, Applicant submits herewith Replacement Sheets for each of Figures 1, 2, 3A, 3B, and 3C. Applicant respectfully submits that the Replacement Sheets for Figures 1, 2, 3A, 3B, and 3C do not contain new matter. Applicant further submits that the Replacement Sheets are in compliance with 37 C.F.R. §1.121(d). Entry of the Replacement Sheets for Figures 1, 2, 3A, 3B, and 3C is respectfully requested.

With regard to the Examiner's asserted "new matter" rejection regarding Claims 61-80, Applicant respectfully traverses this rejection. Applicant respectfully submits that Claims 61-80 do not contain new matter. Applicant submits that support for the subject matter objected to by the Examiner can be found in the Specification of the above-identified application at page 51, line 17 to page 52, line 21. Applicant further submits that support for the subject matter objected to by the Examiner can also be found in the U.S. Provisional Patent Application Serial No. 60/178,867 at

page 51, line 12 to page 52, line 16. The above-identified application claims the benefit of the priority of U.S. Provisional Patent Application Serial No. 60/178,867.

Based on the foregoing submissions and the following Remarks, the application is deemed to be in condition for allowance and action to that end is respectfully requested.

I. THE EXAMINER'S REQUIREMENT FOR CORRECTED DRAWINGS:

The Examiner required that corrected drawings be filed for Figures 1, 2, 3A, 3B, and 3C. As noted above, Applicant submits herewith Replacement Sheets for each of Figures 1, 2, 3A, 3B, and 3C. Applicant respectfully submits that the Replacement Sheets for Figures 1, 2, 3A, 3B, and 3C do not contain new matter. Applicant further submits that the Replacement Sheets are in compliance with 37 C.F.R. §1.121(d). Entry of the Replacement Sheets for Figures 1, 2, 3A, 3B, and 3C is respectfully requested.

II. THE 35 U.S.C. §112 REJECTION:

The Examiner asserts that Claims 61-80 are rejected under 35 U.S.C. §112, first paragraph, "as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention." In particular, the Examiner treated the recitation "a request for advertising space, advertising space (sic), a change in an offered price for an advertising space, a change in a term or a condition for an advertising offering, an advertisement debut, and an introduction of an advertisement or an advertising campaign", as "new matter".

Applicant respectfully traverses the Examiner's asserted "new matter" rejection.

Applicant respectfully submits that the Examiner's reproduction of the recited phrase inadvertently contains the phrase "advertising space" twice as indicated above. It is respectfully submitted that the recitation, as contained in independent Claim 61, is provided as follows:

"a request for advertising space, a change in an offered price for an advertising space, a change in a term or a condition for an advertising offering, an advertisement debut, and an introduction of an advertisement or an advertising campaign".

Applicant respectfully submits that the originally filed Specification provides clear support for each item or phrase in the above recitation and, therefore, the originally filed Specification provides clear support for the above recitation. Applicant further submits that U.S. Provisional Application Serial No. 60/178,867 provides clear support for each item or phrase in the above recitation and, therefore, provides clear support for the above recitation. The above-identified application claims the priority of U.S. Provisional Application Serial No. 60/178,867.

IIA. SUPPORT FOR THE RECITATION IN THE ORIGINALLY FILED SPECIFICATION:

Applicant respectfully submits that the above recitation is clearly supported by the originally filed Specification and, therefore, the above recitation does not constitute "new matter".

Applicant respectfully submits that support for the above recitation can, for example, be found in the originally

filed Specification, filed January 27, 2001, at page 51, line 17 to page 52, line 21. The above recitation, including reference to the originally filed Specification where support for the respective portions of same, and therefore, support for the entire recitation, can be found, is provided below:

"a request for advertising space (**page 51, lines 21-22, and page 51, lines 17-22**), a change in an offered price for an advertising space (**page 51, line 22 to page 52, line 1, and page 51, line 17 to page 52, line 1**), a change in a term or a condition for an advertising offering (**page 52, lines 1-2, and page 51, line 17 to page 52, line 2**), an advertisement debut (**page 52, line 13, and page 52, lines 9-13**), and an introduction of an advertisement or an advertising campaign (**page 52, lines 14-15, and page 52, lines 9-15**)".

For the Examiner's convenience, the pertinent portion of the originally filed Specification provided at page 51, line 17 to page 52, line 21, with the subject matter of interest provided in bold letters is provided as follows:

"The database can also contain contact information for any of the respective Content Providers along with criteria and/or events, the occurrence of which they desire to be notified. These criteria, events and/or occurrences, can include, but not be limited to, **a request for advertising space** by a certain Merchant(s), **changes in offered prices for advertising space, changes in terms and/or conditions for an advertising offering**, a sale or transaction resulting in a commission and/or referral fee earned by a respective party, an effected payment, and/or a deposit, of any commission and/or referral fee to a respective party and/or into the respective party's financial account, and/or any other

event(s) or occurrence(s) which may be of interest to a Content Provider.

The database can also contain contact information for any of the respective Users along with criteria and/or events, the occurrence of which they desire to be notified. These criteria, events and/or occurrences, can include, but not be limited to, the notification of **a advertisement debut, the introduction of an advertisement and/or an advertising campaign** by a specified Merchant or Merchants and/or for a specified good(s) and/or service(s), the offering of a specified good(s) and/or service(s) at a specified price(s) and/or under certain term(s) and/or conditions, changes in terms and/or conditions, and/or price(s) and/or offering(s) of a good(s) and/or service(s), and/or any other event and/or occurrence which may be of interest to a User."

Originally filed Specification, at page 51, line 17 to page 52, line 21 (emphasis added).

Applicant submits herewith, as an attachment hereto, copies of pages 51 and 52 of the originally filed Specification for the Examiner's convenience.

Applicant further submits that support for the subject matter of the above recitation can also be found in U.S. Provisional Patent Application Serial No. 60/178,867, at page 51, line 12 to page 52, line 16. The above-identified application claims the benefit of the priority of U.S. Provisional Patent Application Serial No. 60/178,867.

The above recitation, including reference to U.S. Provisional Patent Application Serial No. 60/178,867 where

support for the respective portions of same, and therefore, support for the entire recitation, can be found, is provided below:

"a request for advertising space (**page 51, lines 16-17, and page 51, lines 12-17**), a change in an offered price for an advertising space (**page 51, lines 17-18, and page 51, lines 12-18**), a change in a term or a condition for an advertising offering (**page 51, lines 18-19, and page 51, lines 12-19**), an advertisement debut (**page 52, line 8, and page 52, lines 4-8**), and an introduction of an advertisement or an advertising campaign (**page 52, lines 9-10, and page 52, lines 4-10**)".

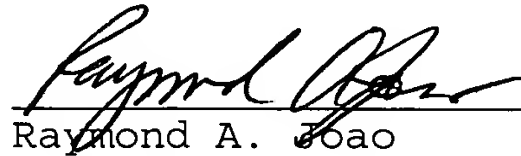
Applicant submits herewith, as an attachment hereto, copies of pages 51 and 52 of U.S. Provisional Patent Application Serial No. 60/178,867 for the Examiner's convenience.

In view of the above, Applicant respectfully submits that the subject matter of the recited recitation of independent Claim 61, and therefore the above recitation of Claims 61-80, is supported by the originally filed Specification. In view of the foregoing, Applicant respectfully requests that the Examiner's "new matter" rejection be withdrawn.

III. CONCLUSION:

In view of the foregoing, the application is deemed to be in condition for allowance and action to that end is respectfully requested. Allowance of pending Claims 61-80 is respectfully requested.

Respectfully Submitted,



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- Encls. - Replacement Sheets for Figures 1, 2, 3A, 3B, and 3C (5 sheets)
- Copies of pages 51 and 52 (2 pages) of the originally filed Specification
 - Copies of pages 51 and 52 (2 pages) of U.S. Provisional Patent Application Serial No. 60/178,867
 - Return Receipt Postcard

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The database can also contain contact information for any of the respective Merchants along with criteria and/or events, the occurrence of which they desire to be notified. These criteria, events and/or occurrences, can include, but not be limited to, the availability of advertising space by a certain Content Provider(s), changes in prices of advertising space, changes in terms and/or conditions for advertising space, the effected payment of a commission and/or referral fee to a Content Provider, and/or any other event(s) or occurrence(s) which may be of interest to a Merchant.

The database can also contain contact information for any of the respective Content Providers along with criteria and/or events, the occurrence of which they desire to be notified. These criteria, events and/or occurrences, can include, but not be limited to, a request for advertising space by a certain Merchant(s), changes in offered prices for advertising space, changes in terms and/or conditions for an advertising offering, a sale or transaction resulting in a commission and/or referral fee earned by a respective party, an effected payment, and/or a deposit, of any commission and/or referral fee to a respective party and/or into the

respective party's financial account, and/or any other event(s) or occurrence(s) which may be of interest to a Content Provider.

The database can also contain contact information for any of the respective Users along with criteria and/or events, the occurrence of which they desire to be notified. These criteria, events and/or occurrences, can include, but not be limited to, the notification of a advertisement debut, the introduction of an advertisement and/or an advertising campaign by a specified Merchant or Merchants and/or for a specified good(s) and/or service(s), the offering of a specified good(s) and/or service(s) at a specified price(s) and/or under certain term(s) and/or conditions, changes in terms and/or conditions, and/or price(s) and/or offering(s) of a good(s) and/or service(s), and/or any other event and/or occurrence which may be of interest to a User.

The database can also include data and/or information concerning the past success rates for a particular advertisement(s), as well as success rates for particular Content Providers, and/or for particular Merchants. The database can also contain any other data and/or information for providing and/or for facilitating any